

Remarks

Claims 1-20 are pending in the application. Claims 1-8 and 17-20 were rejected and claims 9-16 were withdrawn in response to a restriction requirement. By this Amendment, claims 1 and 17 have been amended. Reconsideration of the claims is respectfully requested. No new matter has been added.

Rejection Under 35 U.S.C. § 102

Claims 1, 3, 5 and 17-18 were rejected under § 102(b) as being anticipated by U.S. Patent No. 4,889,290 issued to Koffsky et al. (hereinafter “Koffsky ‘290”). Independent claims 1 and 17 are discussed separately below.

Applicants have amended claim 1 to recite a machining system that includes “a housing defining at least a portion of the machining envelope, a hopper having a top surface defining an opening, and *a seal extending from the top surface to the housing.*” Koffsky ‘290 does not recite a seal that extends from a top surface of a hopper to a housing. Instead, Koffsky ‘290 discloses a sleeve 116 that “protrudes down as shown in Fig. 4” such that “sleeve 116 [is] drooped into receptacle bag 120 and causes a seal to occur between the uppermost portion of bag 120 and sleeve 116 (see column 5, lines 25-26 and 45-48). In other words, the sleeve 116 (called a seal by the Examiner) does not extend from a top surface of the cart 126 (called a hopper by the Examiner) to a housing since (1) the sleeve 116 is separated from the cart 126 by receptacle bag 120 and (2) the ends of the sleeve 116 are “attached to upper and lower rings 112 and 114” such that the sleeve is drooped inside the receptacle bag 120 and within cart 126 (see column 5, lines 23-24 and Figure 4). Consequently, Applicants believe that this rejection is overcome. Since claims 3 and 5 depend on claim 1, Applicants believe that these claims are allowable for the same reasons.

Applicants have amended claim 17 to recite a machining system that includes a seal that is “disposed on a top surface” of a chip hopper and “engages the bottom surface of the mating portion [of a lower portion of a housing] to inhibit particulates from exiting the

housing.” Koffsky ‘290 does not disclose a machining system as claimed. For instance, Koffsky ‘290 does not disclose a seal disposed on a top surface of a chip hopper that engages a bottom surface of a mating portion of the housing. Instead, Koffsky ‘290 discloses a sleeve 116 that “protrudes down as shown in Fig. 4” such that “sleeve 116 [is] drooped into receptacle bag 120 and causes a seal to occur between the uppermost portion of bag 120 and sleeve 116 (see column 5, lines 25-26 and 45-48). In other words, the sleeve 116 (called a seal by the Examiner) is not disposed on a top surface of the cart 126 (called a hopper by the Examiner) since it is drooped *inside* the receptacle bag 120 and *within* cart 126. Moreover, the sleeve 116 is attached to an *inner* surface of a lower ring 114 of a diaphragm valve 110 and is therefore does not engage a bottom surface of a mating portion of a housing as recited in claim 17. Consequently, Applicants believe that this rejection has been overcome. Since claim 18 depends on claim 17, Applicants believe that this claim is allowable for the same reasons.

Rejection Under 35 U.S.C. § 103

Claims 2, 6 and 19 were rejected under § 103(a) as being unpatentable over Koffsky ‘290 in view of U.S. Patent No. 6,112,504 issued to McGregor et al. (hereinafter “McGregor ‘504”). Claims 2 and 6 depend on claim 1. Claim 19 depends on claim 17. Consequently, Applicants believe that the rejection of these claims is overcome for the reasons previously discussed.

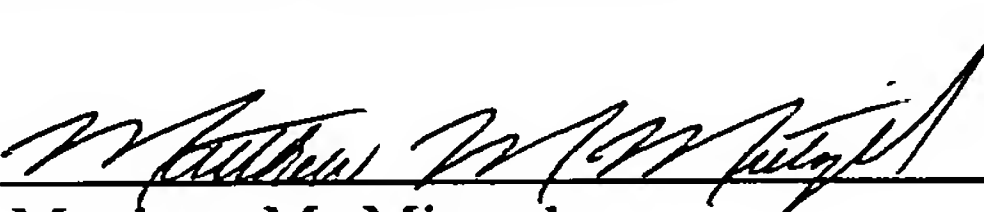
Claims 4 and 20 were rejected under § 103(a) as being unpatentable over Koffsky ‘290 in view of U.S. Patent Publication 2003/0131571 A1 to Demarco (hereinafter “Demarco ‘571”). Claims 4 and 20 depend on claims 1 and 17, respectively. Consequently, Applicants believe that the rejection of these claims is overcome for the reasons previously discussed.

Claims 7 and 8 were rejected under § 103(a) as being unpatentable over Koffsky ‘290 in view of McGregor ‘504 and further in view of Demarco ‘571. Claims 7 and 8 depend on claim 1. Consequently, Applicants believe that the rejection of these claims is overcome for the reasons previously discussed.

Conclusion

Applicants have made a genuine effort to respond to the Examiner's objections and rejections in advancing the prosecution of this case. Applicants believe all formal and substantive requirements for patentability have been met and that this case is in condition for allowance, which action is respectfully requested. The Director is hereby authorized to charge any fees, or credit any overpayments to Ford Global Technologies LLC, Deposit Account No. 06-1510.

Respectfully submitted,
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